

VINDICATION
OF
GOVERNOR PARR
AND HIS
COUNCIL,

AGAINST THE

Complaints of certain Persons,

Who sought to engross 275,000 Acres of Land in Nova Scotia, at the
Expense of Government, and to the great Prejudice of the Pro-
vince and Loyalists in general.

Founded on various authentic LETTERS and PAPERS,
herein inserted.

By a GENTLEMAN of HALIFAX.

QUAM REM VITIO DENT, QUÆSO, ANIMADVERTE.

TER. APR.

L O N D O N :
PRINTED FOR JOHN STOCKDALE,
OPPOSITE BURLINGTON-HOUSE, PICCADILLY.
M,DCC,LXXXIV.

INDICATION

OF

GOVERNOR PARK

COUNCIL

AGAINST THE

Complaints of certain Persons

As the same are of great importance to the
Government of the Province of the
United Kingdom of Great Britain



Printed by W. Smith, at the British Museum, in the Strand, London.

By GENTLEMAN & SONS

Printed and Sold by W. Smith, at the British Museum, in the Strand, London.

LONDON

PRINTED FOR JOHN STOKES

OPPOSITE BRISTOL HOUSE, FLEET STREET

1844

TO THE RIGHT HONOURABLE
WILLIAM PITT,

First Lord of the Treasury, &c. &c.

THIS VINDICATION OF
GOVERNOR PARR AND HIS COUNCIL,
FROM THE ASPERSIONS OF A RESTLESS PARTY,

IS WITH ALL DEFERENCE INSCRIBED,

BY HIS MOST RESPECTFUL,

HUMBLE SERVANT,

A LOYALIST OF NOVA SCOTIA.

TO THE RIGHT HONOURABLE

WILLIAM PITT,

First Lord of the Treasury, &c. &c.

THIS VINDICATION OF

GOVERNOR PARR AND HIS COUNCIL,

FROM THE ASPERSIONS OF A WISTLESS PARTY,

IS WITH ALL DEFERENCE INSCRIBED,

BY HIS MOST RESPECTFUL

HUMBLE SERVANT,

A. DOWLIST OF NOVA SCOTIA.

VINDICATION,

&c.

A Letter, said to be from Nova Scotia, having appeared in the Morning Chronicle of June 21, 1784, representing Governor Parr, the Chief Justice, and the Members of the Council, to be *weak, ignorant, and designing* men, the affairs of the province unskillfully managed, and the new settlements discouraged, has made the following publication necessary, that Government and the Public may not be misled by bold and unsupported charges from a Junto spread in England, Nova Scotia, and the United States of America. This Junto is composed of fifty-five *visible* persons, "of the most respectable characters, who have constantly had great influence in his Majesty's American dominions," [if credit is to be given to their own declarations in their letter to Sir Guy Carleton, No. II.] and an *invisible* Company, of "deeper art and keener policy."

The foundation of, perhaps, all the complaints against Governor Parr, and the Council of Nova Scotia, will appear to originate from the disappointment of the Junto, who ungenerously and privately deserted the original proposals of the whole body of Loyalists, and endeavoured to engross to themselves a disproportionate and an unmerited share in the lands allotted by Government for the benefit of the whole.

The following letter from Sir Guy Carleton to Sir Andrew Snape Hammond states the expectations of the Loyalists in common :

No. I.

S I R,

New-York, 22 September, 1782:

IN conformity to the observations I had made in my letter of the 25th ult. concerning the Refugees here, and their just claims upon the public for grants of unoccupied lands in any part of the empire, and likewise to those communications which have been made me of his Majesty's gracious intentions in this respect, and with which, I presume, you have also been made acquainted ; I now inclose a list of such families or individuals as, relinquishing all hopes of repossessing their former property in the revolted provinces, are desirous of emigrating into Nova Scotia, and of accepting there such grants of land as the present condition of the province will enable you to grant ; and which, considered as well-founded claims of justice, rather than of mere favour, it is their very reasonable expectation should be done without payment of any fees, or any reservation of quit-rents, or any pecuniary obligations whatever.

I am given to understand, that upwards of 600 persons (women and children inclusive) are desirous of embarking from hence this autumn, and a much larger number the ensuing spring ; but I do not think I shall be able to accommodate with shipping, &c. above 300 persons. In the mean time, I

am to recommend to your favour and protection Messrs. Ames Botsford, Cummings, and Hauser, Agents for the Loyalists, as well for those that go this autumn as for those that follow after (a more perfect list of whose names, and the number of each family, as far as can now be ascertained, they will have the honour to present): and I am to desire you, Sir, to give them the necessary assistance in exploring the country, in order that they may be able to fix on proper places for settlements; and for this end it will be necessary also, I presume, that they should have such access to the Records of the Province as may be just and proper. Their expectation is, that they shall be accommodated with such tracts of unappropriated lands as they shall chuse to settle in, and 5 or 600 acres be granted to a family, and 300 to a single man. You will find likewise, that provision will be made by the Agents for grants of land for the use of the Church, and for Schools; and that it will be desired that 2000 acres may be appropriated to the former, and 1000 to the latter; which I cannot but very earnestly recommend.

These persons are to be considered as real efficient settlers, already acquainted with all the necessary arts of culture, and habituated to settlements of the like kind; and who, independent of their just claims, will bring a large accession of strength, as well as of population, into the province. And as they have merited much by their exertions in support of Government, so they will not only, in my judgment, be well entitled to grants now desired (exonerated of all present and future pecuniary demands), but to all such advantages of every sort as may have heretofore been promised, by proclamation or otherwise, to persons invited to settle in that province.

I am to inform you, Sir, that it is my intention to furnish those who mean to pass into your province this fall with as many necessaries and accommodations of every kind as I shall be able, in order to support them during the winter; and I am further, Sir, earnestly to recommend them to your consideration for such other aid and support as they can only locally obtain; I mean, more particularly, materials for building, and the aid of such workmen, as, in so just a cause, and so strongly recommended from home, your own zeal will enable you to supply. — For the rest, I must refer you, Sir, to those

gentlemen already named, who will acquaint you more at large of the views and expectations of their employers.

I am, Sir, your most obedient,

And most humble servant,

A true Copy.

GUY CARLETON.

M. MORGAN, *Secretary.*

Sir Andrew Snape Hammond, &c. &c.

Halifax.

This letter was delivered by Messrs. Botsford, Cummings, and Hauser, Agents for the whole body of Loyalists, to explore the lands, and conduct their interest in Nova Scotia, and to correspond with their Committee at New-York, viz. Rev. Messrs. S. Seabury and John Sayre; Sampson S. Blowers, Samuel Hake, John Dole, George Leonard, Esqrs. and others.—The same year, 1782, Major Ward sailed from New-York with 300 emigrants to Nova Scotia.

The affairs at Nova Scotia and New-York went on amicably among the Loyalists till August 1783, when it was discovered that the Rev. John Sayre, with fifty-four other persons, had privately presented to Sir Guy Carleton the following letter :

No. II.

S I R,

New-York, July 22, 1783.

YOUR Excellency's kind attention and offers of your support to us demand our warmest thanks, which we beg the favour of you to accept.

The unhappy termination of the war obliges us, who have ever been steady in our duty, as loyal subjects, to leave our homes; and being desirous of continuing to enjoy the benefits of the

British

British constitution, we mean to seek an asylum in the province of Nova Scotia.

Considering our several characters, and our former situation in life, we trust you will perceive that our circumstances will probably be the contrast to which they have been heretofore; especially as, from our respective occupations, we shall be unable *personally* to obtain the means of a tolerably decent support, unless your Excellency shall be pleased to countenance us by your recommendation in the following proposals; which are, with the utmost deference, submitted for your Excellency's consideration.

1.. That a tract or tracts of land, free from disputed titles, be laid out for us in Nova Scotia, in such part of that province as one or more gentlemen, whom we propose to send forward for that purpose, being first approved of by your Excellency, shall pitch upon for us.

2. That this tract be sufficient to put us on the same footing with field-officers in his Majesty's army, with respect to the number of acres.

3. That, if possible, these lands may be exonerated of quit-rents.

4. That they be surveyed and divided at the expence of Government, and the deeds delivered to us as soon as possible, remitting the fees of office.

5. That, while we make this application to your Excellency, we wish not to be understood as soliciting a compensation for the losses we have sustained during the war, because we are humbly of opinion, that the settling of such a number of Loyalists of the most respectable characters, who have *constantly* had great influence in his Majesty's American dominions, will be highly advantageous in diffusing and supporting a spirit of attachment to the British constitution, as well as to his Majesty's royal person and family.

We have only to add our earnest request of your Excellency's aid and support in carrying this matter into execution, as soon as it shall comport with your leisure; and to assure your Excellency,

lency, that we are, with great respect, your Excellency's most
humble and most obedient servants;

Signed by

Addison, Henry
Anderson, James
Billopp, Christopher
Bell, Andrew
Barrell, Colban
Blane, Thomas
Bouden, John
Bannister, Thomas
Campbell, Colin
Campbell, William
Camp, Abiathar
Crannell, Bartholomew
Chandler, Rufus
Chandler, Nathaniel
Coffin, Nathaniel
Chaloner, Walter
Clarke, James
Chipman, Ward
Cortelyou, Aaron
Davis, Benjamin
Donaldson, Samuel
Fenley, James
Goldsberry, Samuel
Henderson, Hugh
Horsefield, Thomas
Inglis, Charles
Knox, Thomas
Livingston, P. J.

Lutwyche, E. G.
Longworth, Isaac
Maudsley, John
Moore, John
Peters, James
Peters, Henry
Panton, George
Potts, John
Roome, John Le Chevr.
Seabury, David
Seaman, Richard
Seaman, Benjamin
Sayre, James
Sayre, John
Skinner, Stephen
Smith, John
Stewart, Anthony
Taylor, Joseph
Taylor, William
Taylor, Joseph
Taylor, William
Taylor, George
Watson, John
Wanton, William
Wilkins, Isaac
Willard, Abijah
Willard, Abel.

Upon this letter, Sir Guy Carleton wrote to Governor Parr in the manner most agreeable to the fifty-five signers, recommending the following persons, the Rev. John Sayre, and Anthony Stewart, Philip J. Livingston, and Nathaniel Chandler, to Governor

vernor Parr, as Agents to the Fifty-five, who were recommended also for 5000 acres each, and to the privilege of locating their lands wherever they pleased. These Agents sailed from Sandy Hook, August 8th, 1783, to Nova Scotia, leaving at New-York Thomas Knox and William Taylor, a Committee of Correspondence. The Loyalists about this time discovered the art and designs of the Fifty-five: a meeting of them was held immediately; when they agreed upon, and appointed a Committee, viz. S. Hake, E. Hardy, Esqrs. Capt. H. Law, and Mr. T. Dickenson, to present a Memorial to the Commander in Chief, of which the following is a copy:

No. III.

To His Excellency Sir GUY CARLETON, Knight of the Most Honourable Order of the Bath, General and Commander in Chief, &c. &c.

The Memorial of the Subscribers

Humbly sheweth,

THAT your Memorialists, having been deprived of very valuable landed estates, and considerable personal properties, without the lines, and being also obliged to abandon their possessions in this city, on account of their loyalty to their Sovereign, and attachment to the British constitution, and seeing no prospect of their being reinstated, had determined to remove with their families, and settle in his Majesty's province of Nova-Scotia, on the terms which they understood were held out *equally* to all his Majesty's persecuted subjects.

That your Memorialists are much alarmed at an application which they are informed Fifty-five persons have joined in to your Excellency, soliciting a recommendation for tracts of land in that province, amounting together to *two hundred and seventy-five thousand acres*, and that they have dispatched forward Agents to survey the unlocated lands, and select the most fertile spots and desirable situations.

That,

That, chagrined as your Memorialists are at the manner in which the late contest has been terminated, and disappointed as they find themselves in being left to the lenity of their enemies, on the dubious recommendation of their leaders, they yet hoped to find an asylum under British protection, little suspecting there could be found, among their fellow-sufferers, persons ungenerous enough to attempt engrossing to themselves so disproportionate a share of what Government has allotted for their common benefit, and so different from the original proposals.

That your Memorialists apprehend some misrepresentations have been used to procure such extraordinary recommendations, the applications for which have been most studiously concealed, until now that they boast its being too late to prevent the effect. Nor does it lessen your Memorialists surprize to observe, that the persons concerned (several of whom are said to be going to Britain) are most of them in easy circumstances, and, with some exceptions, more distinguished by the repeated favours of Government, than by either the greatness of their sufferings, or the importance of their services.

That your Memorialists cannot but regard the grants in question, if carried into effect, as amounting nearly to a total exclusion of themselves and families, who, if they become settlers, must either content themselves with barren or remote lands, or submit to be tenants to those, most of whom they consider as their superiors in nothing but deeper art and keener policy. — Thus circumstanced,

Your Memorialists humbly implore redress from your Excellency, and that enquiry may be made into their respective losses, services, situations, and sufferings; and if your Memorialists shall be found equally entitled to the favour and protection of Government with the former applicants, that they may be all put on an equal footing; but should those who first applied be found, on a fair and candid enquiry, more deserving than your Memorialists, then your Memorialists humbly request that the locating their extensive grants may at least be postponed, until your Memorialists have taken up such small portions as may be allotted to them,

And your Memorialists, as in duty bound, shall ever pray, &c.

New-York, Aug. 15, 1783.

Signed by SAMUEL HAKE, and above 600 others.

To

To this Memorial His Excellency Sir Guy Carleton was pleased to return an answer to the following effect :

No. IV.

THAT his Excellency, within these few days, has had reason to believe that no *one person* will obtain a larger grant of lands in Nova Scotia than one thousand acres.—That the power of issuing patents for lands there resides solely in the Governor, to whom his Excellency will immediately forward the Memorial, which he apprehends will arrive before patents can be made out for the tract of land mentioned in it.—And that it was his opinion no persons should be allowed to take up lands in that province, but those who mean to reside there, till the Loyalists are first served ; and that his Excellency will do every thing in his power for the Memorialists, and believes they will have no cause to complain.

The Committee were also informed, from the most respectable authority, that the report of all the lands being occupied about Port Roseway was groundless ; Governor Parr, who was extremely solicitous to do justice to every individual, having made a reserve of a sufficient quantity of lands there, for the accommodation of those Loyalists who still proposed to embark for that place.

From this Answer of Sir Guy Carleton to their Memorial, the Loyalists had reason to hope that the cruel designs of the Fifty-five “ most respectable characters ” would give way to the interest of the whole body of their suffering brethren : but they soon found there was no favour to be expected from the generosity and justice of the Fifty five, who pursued their object with an eagerness that few of them ever shewed in behalf of his Majesty’s government and service.

The following Journal of their Agents in Nova Scotia shews their activity and zeal in the important
C business

business of obtaining five thousand acres to the use of each member of the associated Fifty-five "most respectable characters."

A Journal of the Proceedings of the Agents for the Associated Loyalists, from the 8th day of August to the 24th day of September, 1783.

JOHN SAYRE, Philip J. Livingston, and Nathaniel Chandler, left Sandy-Hook on Friday the 8th day of August, and arrived at Annapolis the 17th.—They forwarded, by the Grand Duchess of Russia, Captain Holman, a letter to Thomas Knox and William Taylor, Esqrs. Committee of Correspondence at New-York, which was in the words following :

GENTLEMEN,

Annapolis, August 19, 1783.

WE have the pleasure to inform you, that we arrived here on Sunday last, after a passage of ten days, having left Sandy-Hook the 8th instant, and that we shall proceed to-morrow on our way to Halifax. As Mr. Sayre is going to St. John's, and does not expect to return to this place on public business within a fortnight, and as we entertain no hopes of seeing Mr. Stewart at Halifax within the above time, we have thought it advisable for our mutual interest, agreeable to the powers of substitution delegated to us, to solicit the Honourable Stephen Skinner, Esquire, to be a joint Agent with us in the important trust committed to our care, which he has been pleased to accept of until his return to New-York. We have done this from a conviction that the measure will be perfectly agreeable to the Association, and that no delays but such as are unavoidable should be suffered in the prosecution of an enquiry which, we hope, will prove of great benefit to us all.

We are, Gentlemen, with due respect and regard,

Your most obedient humble servants,

PHILIP J. LIVINGSTON,
NATHANIEL CHANDLER,
JOHN SAYRE.

Thomas Knox and William Taylor, Esqrs.

Committee of Correspondence to Associated Loyalists.

Stephen

Stephen Skinner, Philip J. Livingston, and Nathaniel Chandler, left Annapolis on Wednesday the 20th of August, and arrived at Halifax, after a journey of 130 miles, on Sunday the 24th, about twelve o'clock; the Reverend John Sayre intending to embark from Annapolis, with Captain Holman, for St. John's River, with his family, when they left it.—On August 24, the day of our arrival, delivered the commendatory letter, his Excellency Sir Guy Carleton was pleased to favour us with, to his Excellency Governor Parr, who was pleased to express his earnest desires to serve us in the business of our appointment.—On Thursday the 28th, presented to his Excellency Governor Parr a Memorial in behalf of the Association, in the words following, viz.

To his Excellency JOHN PARR, Esquire, Captain-General and Governor, &c.

The Memorial and Petition of Anthony Stewart, Nathaniel Chandler, John Sayre, and Philip J. Livingston, in behalf of themselves, and as attornies to Abijah Willard, and 50 others,

Humbly sheweth to your Excellency,

THAT the unhappy termination of the war in America will soon compel your Memorialists, who have ever been steady in their loyalty to the best of Sovereigns, and attachment to the British constitution, to seek an asylum in some part of his Majesty's dominions, leaving their property in the hands of their enemies. That under these hard circumstances, and with these views, your Memorialists beg leave to present themselves and their Associates to your Excellency; and to shew that their former characters and situations in life have been such as to make them feel the reverse of fortune which now awaits them with a poignancy of distress your Excellency's humane heart will more easily conceive than they can describe. That, under the patronage of his Excellency Sir Guy Carleton, and from a perfect conviction of your Excellency's well-known generous and cordial regard to all his Majesty's loyal subjects suffering by the late rebellion, your Memorialists embarked for this province, in the fullest confidence that every wished-for aid would be afforded them by your Excellency, in promoting all their reasonable views and expectations of obtaining a subsistence in this province,

province. Your Memorialists, for the above reasons, with all deference, humbly request that your Excellency will be pleased to direct that a tract or tracts of vacant land may be located for them in the proportion of *five thousand acres* to each of them, with the usual allowance for waste land, and land covered with water. That the quantity of land prayed for may be assigned them in the Bay of St. Mary, extending on each side the river Sissiboo into the back country, and towards a great lake lying between Port Roseway and the said Bay of St. Mary, until the quantity prayed for shall be completed, or such part thereof as shall be found vacant, situated as above-mentioned; and, in case of a deficiency of land in the Bay of St. Mary as above-mentioned, that they may be favoured with your Excellency's orders to locate the residue in any other part of the province where vacant lands may be found. That the tract or tracts of land so by them located, may be exonerated of quit-rents, surveyed, divided, and granted to them, in like manner as lands are granted to other his Majesty's loyal subjects in the like circumstances. Your Memorialists, intreating your Excellency's favourable regard to this earnest petition, as in duty bound, shall ever pray.

Signed PHILIP J. LIVINGSTON.

Halifax, August 28th,
1783.

NATHANIEL CHANDLER.

On Friday the 29th, in the presence of Charles Morris, Esq; Surveyor-General, and Richard Buckley, Esq. Secretary of the Province, his Excellency Governor Parr signified in writing, at the foot of the Petition, his approbation of the same, and directed a warrant of survey pursuant thereto.—On Saturday the 30th, a warrant of survey was delivered to the Surveyor General, and is in the words following :

JOHN PARR, Esquire, Captain-General and Governor in and over his Majesty's Province of Nova-Scotia and its Dependencies, Vice-Admiral of the same, &c. &c. &c. to Charles Morris, Esq. Chief Surveyor of Land.

YOU are forthwith, by yourself or your Deputy, to admeasure and lay out Anthony Stewart, Nathaniel Chandler, John Sayre, Philip J. Livingston, &c. &c. &c. each a plantation containing five thousand acres of land, upon St. Mary's Bay, the river Sissiboo, and the land adjacent, observing that they
do

do not interfere with any other persons, and make a return, with your doings thereon, in the Secretary's office, within six months from the date hereof, with a plat or description thereunto annexed; also to certify the nature and quality of said land, conformable to his Majesty's instructions: and for so doing this shall be your warrant. Given under my hand at Halifax, this 30th day of August, 1783.

Signed JOHN PARR.

On Monday, September 1, the Surveyor-General issued his warrant to his Deputy, John Biddle, Esq. conformable to the warrant received from his Excellency the Governor. Same day left Halifax, accompanied by John Biddle, as Surveyor of the land to be located. Being detained by rains on the road, did not reach Annapolis till Friday, about two o'clock P. M. being the 5th.—Saturday 6th; went to the township of Conway, about 18 miles from hence, in quest of Amos Botsford, Esq. with whom we were advised by the Surveyor-General to confer on the subject of our intended location—returned to Annapolis in the evening, where we were detained by high winds and rain until Friday the 12th, when we set out for St. Mary's Bay across the township of Conway. Lodged this evening at the Bason, in Conway.—Saturday 13th; pursued our journey, and walked through an exceeding bad Indian path, and over a beach at the head of St. Mary's Bay, 18 miles, to Colonel Gilbert's.—Sunday 14th, drizzling bad weather, reached Sissiboo river, about six miles distant, at two o'clock P. M.—Monday 15th, went in a boat five miles to the Falls of Sissiboo river, landed and walked two miles beyond the Falls, and examined the country; where we found the lands high, and a great proportion of pine and spruce in the woods, some beech and maple, and the water too shallow to pass a small boat. The land below the Falls appears of a good quality, particularly the high lands, and contains a great proportion of hard wood, such as beech and maple, is well watered by small streams, and is navigable for small vessels to the Falls.—Tuesday 16, crossed the river to view the lands reserved for a town-plat, which we traversed in various directions, and found it every way suitable for this purpose, the bank not more, in general, than 20 feet in height, and in several places not more than 10, and convenient for

for building wharfs; the beach free from stones, and with a perfect good bottom, on which vessels may ground with safety. The tide rises in this river, in common, about 20 feet; the channel is narrow; and opposite the town-plat, and for some distance beyond; is from 14 to 18 feet deep at low water. The harbour secure against all winds but those of the South-east, and even against them is well sheltered by the adjoining hills and woods. Vessels thus circumstanced will always find a secure retreat on the opposite shore, at Sandy Cove. The breadth of the river at low-water mark is by computation 35 rods. This river has within it, and in the bay before its mouth, cod, pol-luck, lobsters, bass, trout, salmon, flounders, smelt, tom cod, and a fish called connor, rather superior to the sea-bass; with plenty of wild fowls in the season; and at its mouth a ledge of stones, which forms a basin sufficient to admit a great number of fishing-craft and small vessels, in which they may lie with perfect security during the winter season. This ledge is used by the fishermen to dry their cod on, and is said to be very excellent for that purpose. From the mouth of the river to the grand passage is 18 miles, esteemed excellent ground for cod-fish, and resorted to as such by the eastern colonists, as well as the fishermen of this bay and the bay of Fundy. The petit passage, distant nine miles, is also esteemed a good fishery, and, on account of its vicinity, is more frequented by the settlers of this bay. It must also be mentioned, that fogs, so troublesome in the bay of Fundy, seldom infest this river, and are never known to continue a whole day.——Wednesday 17th, went up the river Sissiboo to Indian Creek, about two miles and an half from its mouth, stretched across the country to the Acadian settlements on the Bay of St. Mary, to examine the lands back of the town-plat. In this journey of about four miles, we found the lands generally good; the timber chiefly beech, birch, and maple.——Thursday 18th, walked six miles along the bay to the extent of the Acadian settlements; then struck into the woods, back of the settlements, between three and four miles; then walked parallel to the bay the same distance, and returned to the head of the settlements. This tract, for the greater part, consists of two sunken lands, several small lakes, the timber generally spruce and hemlock: on the high grounds, the lands tolerable; and the timber birch, beech, and maple. From the

best information here received of the vacant lands on this bay beyond us, we were fully convinced they do not merit our attention, the shore being very rocky, and the lands back, in general, unfit for cultivation. — Friday 19th, left the Acadian settlements, and walked to Holman's Point, along the beach, 11 miles, where we lodged. — Saturday 20th, left Holman's Point about ten o'clock, after a very harrassing walk of 18 miles, through the work of roads. — Sunday 21st, took passage for Annapolis, where we arrived in the afternoon, and found Mr. Sayre, who had just arrived from St. John's. — September 24th, this day resigned our agency, and gave the book of proceedings, power of attorney, and the balance in our hands, to the Rev. John Sayre, to be by him delivered to Anthony Stewart, Esq. at Halifax.

Signed PHILIP J. LIVINGSTON.
NATHANIEL CHANDLER.

24 Sept. 1783.

Annapolis, Sept. 23, 1783.

GENTLEMEN,

WE had the pleasure to inform you, in ours of the 19th of August last, of our arrival here on the 17th of the same month, and of our entering immediately on the business of our agency. The journal copy inclosed will give you such a detail of our transactions as can claim your attention. We have now to suggest our disappointment in not finding as yet tracts of land to locate equal to your *reasonable* expectations. You will please to observe, that the best lands in the province bordering on navigable waters have been granted many years ago, and that very few tracts, but such as are *escheatable*, are now to be obtained, which *merit our notice*. You will therefore consider, whether, under these circumstances, your Agents are to apply for lands of this description, conceiving from their instructions they cannot now attend to them. To aid you in this enquiry, we enclose you an act of assembly of this province respecting *escheats* *; which, we think,

* An Act for encouraging the improvement of lands in the Peninsula of Halifax, and further quieting Possession.

Whereas great inconveniences and prejudices have arisen on account of not improving the lands on the Peninsula of Halifax; and whereas,
by

think, will shew you in how loose and vague a mode this business is determined. That *no time*, however, *may be lost*, we have to propose that the township of Chester be explored, lying on the South side of the peninsula, about 35 miles West of the town of Halifax; which, by information, is one of the *best escheatable tracts* on the sea coast, and *reserved* until we hear of your determination on this head. We beg to know, whether the tract on Sissiboo river is considered as an object worth your regard. We flattered ourselves that the vacant tracts on St. Mary's bay would have been entirely acceptable. We preferred

by the absence of several of the grantees, and the neglect and death of others, many of the lots lie waste: in order, therefore, to encourage the improvement of the land within the said Peninsula, be it enacted by his Excellency the Governor, Council, and Assembly, and by the authority of the same it is hereby enacted, that, in all cases where the grantees of lands within the said Peninsula have been abroad from the province, or have lived thereon, for the space of seven years, and no improvements made thereon for that time, and likewise, in such cases where any grantees have claimed said land, it shall and may be lawful, upon an inquest of office, on the oath of twelve men sworn for that purpose, held before the commissioner of escheats and forfeitures, according to the commission to him granted, and duly returned in the office of register of the court of chancery for the Governor and Commander in Chief for the time being, with the consent and advice of his Majesty's Council, to make grants and conveyances of such lands so returned, which grants and conveyances shall be good, valid, and effectual, to all intents and purposes whatever.

Provided that it shall and may be lawful for all persons, interested or intitled to such lands comprized in said office, to traverse the same within twelve months from the date of such inquest; and if the said office not being traversed within the said time, the grant of such land, by virtue of such inquest, by the Governor or Commander in Chief, with advice as aforesaid, shall be absolute, according to the form and effect of such grant.

And whereas it may be doubtful, whether the registry of lots of land, granted simply as lots, without any formal conveyance under the seal of the Province, within the Peninsula of Halifax, or elsewhere, in this Province, import a conveyance in fee simple to the person in whose name the same are registered; for the quieting such persons in their possessions, be it enacted, by the authority aforesaid, that all and every person having a right to claim by virtue of such registry, excepting the persons absent and neglecting to improve as aforesaid, shall be entitled to a full and absolute estate in fee simple in the lands so registered, any want of form in the said registry notwithstanding.

a situation on this bay, on account of the perfect ease and safety of the navigation, and its vicinity to the fisheries; and, had the back land from Sissiboo, as far as we explored, been correspondent to the two thousand acres in front (circumstanced as it was), we should not have hesitated a moment in determining the location, it being one of the most agreeable and convenient situations we have seen; and do therefore still recommend a further exploring of this back country for at least 12 miles from Sissiboo towards the great lake, and a reservation of this tract, until your determination is known. If these lands should not apply to our purpose, we prefer a location on the South side of the peninsula, on account of its numerous harbours and fisheries, and the comparative safety of its navigation. We have to observe, that the difficulty and danger of the navigation within the Bay of Fundy continually increases from Cape Blowmindow, thro' the basin of Menes, to Cobequid, at the head of one arm of the Bay, and through Chignecto to Cumberland, at the head of the other arm of the Bay, with scarce any good harbours. The tide in this extent rises from forty to eighty feet, and with such rapidity as to form a column of water near the heads, four feet or more in height, called the *Boar*, which together with the quicksands often prove destructive to vessels when grounded; which often happens, as the ebb leaves the shores and channels entirely dry for some miles below high-water. Add to this, that all the valuable lands in that part of the province have already been granted, and that the few good tracts liable to escheat are owned by *persons of wealth and influence*; and you will easily believe there is nothing in that quarter *worthy* our pursuit. If, however, the original intention of the Association is adhered to, and no lands are to be sought for but such as are free from disputed claims, we, in this case, (supposing the location on St. Mary's Bay not suitable,) recommend such tracts as may be vacant on St. John's River, the claims of the Provincial Corps as promised by Government being first satisfied; which will carry us about 125 miles from the mouth of the river. Amidst this choice of difficulties, it is not easy to select the least: we therefore only presume, Gentlemen, to state facts with impartiality for your consideration; and still hope that the more accurate and industrious investigation

of Messrs. Stewart and Sayre will throw new light on the subject, and hold up to your view a tract of country eligible and convenient. As Mr. Sayre is just arrived from St. John's River, and is going to-morrow to Halifax, where we hope he will find Mr. Stewart, we have resigned to them the charge of exploring Chester, and such other places as they may think proper, for the use of the Association, and request you will be pleased to nominate other Agents in our stead, if more should be deemed proper, as we are under a necessity of resigning our appointment from this time, being well convinced that Messrs. Stewart and Sayre will perfect the agency as far as possible, and therefore recommend that all letters from you in future be directed to Mr. Stewart at Halifax. We shall immediately close our expences from the fund, which unavoidably have been very heavy, and remit the balance in our hands to Mr. Stewart, and lodge with him all the public papers, which we shall to-morrow deliver to Mr. Sayre for this purpose.

We have the honour to be, with much regard,

Your most obedient, and very humble servants,

PHILIP J. LIVINGSTON.

NAT. CHANDLER.

Thomas Knox and William Taylor, Esqrs.

Committee of Correspondence for Associated Loyalists.

P. S. We have also enclosed a rough sketch of the lands at Sissiboo as formerly laid out.

The Journal speaks its own meaning; and the map, with its curious remark on the public lots laid out at Sisebeau in the town-plat, points out the honour and public spirit of the Fifty-five "most respectable" characters,—viz. "The reservations for the public uses may be divided into small lots for the benefit of the Fifty-five, and the church and school, the mill

mill and minister, may take their shares in the back lands." Such conduct was never thought of by Sir Guy Carleton, who had taken special care of the church and school in his letter to Governor Parr, which were pointed out by the whole body of Loyalists, and which Governor Parr had duly noticed,

On the arrival of Livingston and Chandler at Halifax, the 28th of August, 1783, they modestly applied to Governor Parr for five thousand acres of land, to be located, surveyed, and granted to each of the Fifty-five associates; on the 29th the Governor complied with their request, and on the 30th he granted his warrant to the Surveyor General to admeasure and lay out 5000 acres to Stewart, and to each of the Fifty-five associates, although General Sir Guy Carleton had declared, in his answer to the Loyalists on the 20th of August, "that he had reason to believe that no one person would obtain larger grants of Lands in Nova Scotia than one thousand acres." Be this as it may, Governor Parr's readiness to comply with the petition of the Fifty-five, shews he did not seek to discourage the Loyalists settling in his province. The survey went on rapidly, and the patents for 5000 acre lots would have been granted without delay, had not Sir Guy Carleton transmitted to Governor Parr the remonstrance of the whole body of Loyalists, and signed by more than 600 persons, whose sufferings, services, loyalty, and losses, were not inferior to those of the Fifty-five.

Governor Parr, on receiving the said remonstrance and other information concerning the merit of the Fifty-five, very prudently resolved not to grant lands to any person not resident in the colony, and that a thousand acres were sufficient for one man. Livingston and Chandler, seeing their plan of making tenants of their suffering brethren could not be carried into execution, resigned their agency on September 24, 1783, and left Sayre and Stewart the Agents for the Fifty five. On October 16, 1783, their Associates at New-York, being fully acquainted with what had been done in Nova-Scotia, held a meeting, and appointed Samuel Goldsberry their agent and attorney to act with or without Sayre and Stewart, to survey the lands according to Governor Parr's warrant, and to obtain a patent thereof. The following instructions were given to Mr. Goldsberry ;

No. VI,

FIRST,—That, on your arrival in Nova-Scotia, you repair with all convenient speed to Annapolis, or Conway, and request the said John Biddle to make every dispatch in his power to compleat the survey of the lands mentioned in the said warrant ; and in doing this, that you afford him every assistance in your power—That return be made of the lands so surveyed, and letters patent obtained for the same, *as soon as possible*.

Second.—And, in case the lands so ordered to be surveyed should be found inadequate to the purposes of the application, and by you adjudged insufficient to answer the prayer of our Memorial to His Excellency Governor Parr, then and in such case we recommend to you, with or without the said John Sayre and Anthony Stewart, to make application to his Excellency the Governor

Governor for the time being for such other warrant or warrants of survey for such other tract or tracts of land as will amount in the whole to the quantity of five thousand acres for each and every of the subscribers to the said request or application to His Excellency Sir Guy Carleton, as aforesaid.

Third.—In regard to the division and partition of such tract or tracts of land as may be granted to us, we recommend the mode pointed out in the instructions given with our said letter or power of attorney and agency on the 31st day of July last, and to which we refer as the most equitable and eligible mode of distribution.

Fourth.—You are hereby directed, authorized, and empowered, to receive from the said John Sayre and Anthony Stewart the monies herein before mentioned to be in their hands, and which you are to apply in defraying the necessary expences which may incur; so that no delay may arise in completing the business of the agency hereby vested in you.

Fifth.—As, in all probability, the evacuation of New-York will take place before the survey can be completed, and Messrs. Knox and Taylor, heretofore appointed to correspond with the Agents in Nova Scotia, will be removed; we recommend that you address your letters to Thomas Knox, Esq. Head-Quarters, Halifax, and advise him of every circumstance that may occur relative to the completion of the object of the application; as, from *his situation*, and the *interest* he has in the general concern, he will afford you such assistance as you may stand in need of, especially in obtaining letters patent and confirmation for the said lands.—In witness whereof we have hereunto set our hands and seals the 16th of October, 1783.

Signed ABIJAH WILLARD, and 37 more.

After these instructions, the Fifty-five used every method possible to gain their point. Accordingly, one member of the Junto, whose consequence and great wealth were brought to light since the rebellion, suffered himself to be the imputed Author of the following Letter, which

which shews the integrity and justice of a Mandamus
Counsellor of Massachusetts-bay.

No. VII.

S I R,

New-York, October 23, 1783.

PERMIT me to congratulate your Excellency on your safe arrival in Nova Scotia—a circumstance highly pleasing to your friends, among whom I flatter myself I have the honour to be reckoned. It is in that province, among his Majesty's faithful subjects, I have to hope to pass the remainder of my days, in the enjoyment of loyalty, peace, and tranquillity.

The unhappy termination of the war has induced many of us to seek an asylum in the province of Nova Scotia, and the very liberal assistance given by their Excellencies the Commanders in Chief of his Majesty's Forces, and the countenance they have been pleased to afford on the occasion, has greatly contributed to people a country where we have every reason to hope loyalty and virtue will flourish, to the honour of the parent state, as well as the happiness of the settlers.

Encouraged by Sir Guy Carleton, myself and fifty-four other gentlemen addressed his Excellency, stating our situation, and the little prospect we had of returning to our former places of residence, and praying his recommendation to Governor Parr for a grant of a tract of land of five thousand acres to us respectively. His Excellency was pleased to recommend the granting our request, and we appointed the Rev. Mr. Sayre, Anthony Stewart, Philip John Livingston, and Nathaniel Chandler, Esqrs. our Agents to compleat the business in Nova-Scotia. Messrs. Sayre, Livingston, and Chandler, left this place in August last; but the settlement of his family prevented the former of these gentlemen from paying immediate attention to the subject. The other gentlemen however proceeded to explore the country, and obtained a warrant of survey for the quantity of lands pray'd for, to be laid out on the Bay of St. Mary and River Sissiboo; and, after having done this, resigned their agency to Messrs. Sayre and Stewart, before the lands were surveyed. On receiving their resignation we immediately met, and, considering the
object,

subject, made choice of Mr. Samuel Goldsberry, a very worthy Loyalist, and one of our associated, to proceed in completing the object of the application. With proper powers and instructions on this head, he will sail with the first fair wind for Port Roseway, where he will leave his family, and proceed across the country to Annapolis, in the hope of meeting with Mr. Biddle, to whom the execution of the warrant has been committed.

I must, however, take leave to mention to your Excellency, that, after we had made our application to Sir Guy Carleton, a number of persons were induced, from the misrepresentations of some very turbulent people here, to present a memorial in opposition to our request. In this memorial they have misrepresented facts, and from false insinuations induced numbers to sign their memorial who would otherwise have declined it. I beg leave to assure your Excellency, that the associated Loyalists, interested with me in the application, are worthy of every attention, from their sufferings in person and property on account of their attachment to his Majesty's government; and, on the whole, I can truly declare, that the Association is composed of gentlemen loyal to a degree, and worthy the protection of Government.

In behalf, therefore, of those gentlemen, permit me to solicit your Excellency's kind attention and countenance in perfecting the survey, that letters patent may be obtained for those lands pointed out in our warrant, as many of the Association will be in Nova Scotia this fall and winter. Those gentlemen who go to England will be out in the spring or summer, and all wish to have their lands marked out, so that they may be enabled to fix themselves as soon as the season will permit. Mr. Stewarr, now at Halifax, will wait on your Excellency on the subject: to him I beg leave to refer for any other information you wish on the head. With every sentiment of respect and regard,

I have the honour to be,

Sir,

Your Excellency's most obedient and

Most humble servant,

Signed ABIJAH WILLARD.

In

In this letter are two assertions worthy of the supposed author, viz. "After we had made our application to Sir Guy Carleton, a number of persons were induced, from the misrepresentations of some very turbulent people here, to present a memorial in opposition to our request—they have misrepresented facts," &c. &c.—"I assure your Excellency, that the associated Loyalists, interested with me in the application, are worthy of every attention, from their sufferings in person and property on account of their attachment to his Majesty's government."—The facts are, those "very turbulent people," as Mr. Willard terms Samuel Hake, and other agents for the whole body of Loyalists, remonstrated to Sir Guy Carleton against the insidious Junto having 5000 acres each, wherever they might please to locate them, not chusing to be tenants to such syndics, whose services and losses were not extraordinary in consequence of their loyalty. Sir Guy Carleton's answer, No. IV. proves the facts had not been misrepresented by Mr. Hake, &c. &c. &c. for his Excellency sent forward their memorial to the Governor of Nova Scotia, to prevent that success which the Fifty-five unjustly expected; and assured the Loyalists in general, that he believed no one person would obtain more than 1000 acres.

Notwithstanding the answer of Sir Guy Carleton, Mr. Willard and his Associates resolved to deceive Governor Parr, as they had done the Commander in Chief,

Chief, and obtain their wishes; but, for want of an honest man unconnected with the fifty-five "associated Loyalists worthy of every attention from their sufferings in person and property," the Commissary of fresh Provisions at New York was employed in the business of misinformation. Abijah, however, by "assuring Mr. Parr that the associated Loyalists interested with him," &c. &c. convinced the *ignorant* Governor and his *designing* Council that the fifty-five associated Loyalists were much indebted to their trumpeter, who exalted them above measure, because he was "interested with" *them*.—Mr. Goldsberry, in process of time, with the help of other Agents, completed the survey, and made a return thereof to the Surveyor General, with the expences attending it. Mr. Morris, the Surveyor General, certified the charge to be reasonable, and the Governor ordered it to be paid.—The agents then applied to Governor Parr for 275,000 acres to be granted to the fifty-five associated Loyalists, which would be 5000 acres to each person. Governor Parr refused to make them the grant, till he should know where the fifty-five petitioners were. The agents wrote to the Governor, that some were in England, some in Nova Scotia, and some in the United States of America, endeavouring to recover their property. The Governor, not satisfied with this answer, called on the Agents to return the names of each person, and where each person resided. The Agents

E made

made a return according to the Governor's requisition. The number in Nova Scotia appearing to be very disproportionate to the whole Fifty-five, occasioned the Governor to answer the Agents after this manner:

" I am not authorized to give so large a quantity of land as 5000 acres to one man, and therefore could not justify myself in so doing ; but I am able and ready to grant 1000 acres to each person, belonging to the company of Fifty-five, actually resident in Nova Scotia, and no more." The Agents, by the instructions, could not accept of less than 5000 acres to each person ; they therefore refused the single 1000 acres, and wrote to their Associates in England that all hopes of doing any thing with Governor Parr were at an end ; at the same time requesting, in the warmest terms, that their case might be laid before the Ministry, as it was an object worth pursuing, and as the lands are the most fertile and eligible of any in the province.

The inferences naturally arising from this plain narrative of facts are,

1. The Fifty-five " most respectable characters" have deserted their suffering brethren, and some of them betrayed their trust, by accepting an agency for the whole, and clandestinely acting for a part.

2. They abused Sir Guy Carleton by their pompous but " humble opinion of their former great influence in his Majesty's American dominions," and thereby

thereby obtained his recommendation to Governor Parr, to the great prejudice of other Loyalists, whose services, losses, and loyalty, greatly exceeded those of the Fifty-five, and who never claimed more than to be on a level with their suffering countrymen.

3. The Fifty-five, by endeavouring to supplant their brethren in affliction, as did the Dutch Pataroons at New York in 1664, have raised a jealousy, and formed a division among the Refugees in Nova Scotia, detrimental to the colony, and dangerous to themselves.

4. Governor Parr has acted with candour and wisdom in refusing to grant 5000 acres to one person; as 600 acres are abundantly sufficient in any new country for one family during thirty years. Large patents would depopulate Nova Scotia, as they have done Carolina, the Island of St. John, and Canada.

5. Governor Parr has not injured the Fifty-five by withholding a grant of 5000 acres, on a supposition that his Excellency had power to comply; because 1000 acres were offered to each of them that actually resided in the province, which is ample satisfaction for the trouble and expence the company has been at in exploring the country.

6. Governor Parr granted a warrant to the Surveyor General to lay out 5000 acres in a plantation to each of the Fifty-five petitioners, upon Sir Guy Carleton's recommendation, and, after the survey and

returns were made, could not grant but 1000 acres to each man—This very extraordinary conduct in the King's Governor, to speak in the language of the Fifty-five, is accounted for in Sir Guy Carleton's answer, No. IV.—viz. "His Excellency, within these few days, has had reason to believe that no one person will have more than 1000 acres." This declaration was published in New York Aug. 15, 1783, and the Fifty-five knew of it, as appears by Mr. Willard's letter, No. VII. Nevertheless, the Fifty-five pursued their object of 5000 acres each, vainly hoping Governor Parr would attend to his warrant of survey for 5000 acres, although forbid by his Majesty to grant more than 1000 acres to any one person—and it appears that the prohibition arrived after the warrant for survey was granted, and before the return was made of the survey.

7. As the Fifty-five solicited for the 5000 acres, not as a compensation for losses, but for loyalty, the whole body of Loyalists in Nova Scotia agree with Governor Parr and his Council, that 1000 acres of wilderness land in Nova Scotia is equal at least to the Loyalty of any of those inclined to TRANSFER * their allegiance from the King to Congress at a less valuable price.

8. Supposing Governor Parr could have granted 5000 acres to each of the Fifty-five, it would have

* Vide the Farewel Sermon preached at New-York by the Rev. Charles Inglis, D. D.

injured the real Loyalists who actually reside in Nova Scotia; whereas one fifth of the Fifty-five are residents in the United States, in whose service many of them have been employed, and from whose *past conduct* it is fair to conclude they will not be very useful “in diffusing and supporting a spirit of attachment to the British Constitution, and to his Majesty’s Royal Person and Family;” (vide No. II.) which assertion being true, has made many people doubt the authenticity of the words in the letter signed A. Willard, viz. “I can truly declare, that the Association is composed of gentlemen loyal to a degree, and worthy of the protection of Government.”

9. The Fifty-five (in No. II.) speak of a contrast between their former and present occupations, as rendering them unable personally to obtain a decent support, unless they may have 5000 acres each to cultivate with vassals from Africa, Ireland, or America. —What those most *respectable characters* mean by the words *contrast* and *occupations* must be this or nothing; That we were farmers, clergymen, lawyers, or tradesmen; but since the war, have been merchants, commissaries, clerks, chaplains, and now some are become rich gentlemen, and therefore cannot personally in future support ourselves by industry; but if Government will enable us to enslave our suffering brethren, we are humbly of opinion, that such a number of loyal subjects as the Fifty-five will amply pay the cost,

cost. They then modestly requested 275,000 acres, to be exonerated of quit-rents, in order to enable Fifty-five to "support his Majesty's Royal Person" and Family, and to diffuse Loyalty through Nova Scotia."

10. The Fifty-five declare "they have had great influence in America;" which may be true, if their influence is confined to the British commanders, who have so well paid them for their *influence*, that nearly half of the Fifty-five have been gainers, and not losers, by the rebellion. Upon this ground, or because some of them were rebel committee-men, they modestly requested Sir Guy Carleton to put them on the same footing with Field Officers in respect to the number of acres, and to survey and convey the land at the expence of Government. — Whatever influence those gentlemen of the Fifty-five ever had in the now United States of America, it appears they have now none in Nova Scotia with the real Loyalists, with Governor Parr, and his Council; and it is presumed the Ministry will consider them in the same manner, should *they be humbly of opinion* to solicit Government for 275,000 acres of land in Nova Scotia, to be divided between the said associated Loyalists. Government may, without much hazard, refuse giving lands in Nova Scotia to those most respectable characters, and rest the whole matter with Governor Parr, who has done all in his power to have the lands escheated, and to give indisputable titles to industrious people,

people, whose *personal* service is useful to themselves, and whose Loyalty and Fidelity cannot be TRANSFERRED to Congress or the United States for the value of twice 275,000 acres in New England or Virginia.

11. Hence this conclusion—This Junto of Fifty-five, and their *invisible* Associates, are seeking to advance themselves, at the expence of Governor Parr, his Council, and the whole body of Loyalists in Nova Scotia; and from them originate all complaints made or published against Mr. Parr, whose humanity and justice are as conspicuous as his name and candour.

F I N I S.

people, whose personal service is essential to the
and which I wish to say is highly creditable to THOMAS
REFERRED to Congress or the United States for the
value of twice as good as in New England or
Virginia.

11. Hence this conclusion—This June of this
five, and the number of slaves, are looking to be
vance themselves, at the expense of Governor Par,
his Council, and the Council of Lords in Nova
Scotia; and from the 77th of 82 all complaints made
or published against the whole humanity, and
justice are as conspicuous as his name and conduct.



1817